



Licensing Board
TOWN OF WATERTOWN
ADMINISTRATION BUILDING
149 Main Street
Watertown, Massachusetts 02472

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BOARD MEMBERS
DONNA B. DOUCETTE
GEORGE B. NEWMAN
ROBERT J. WHITNEY

ALTERNATE MEMBER
SANDRA KASABIAN HOFFMAN

Minutes December 18, 2014

1. ACCEPTANCE OF MINUTES: November 20, 2014
2. Royal Restaurant, Inc. d/b/a Royal
45 Lexington Street
New Common Victualler Continued to January 15, 2015
3. Golden River Co. d/b/a Little Thai Café Approved 3-0
51 Main Street
Extension of All Alcoholic Common Victualler License to include Sunday
4. KCAN, LLC d/b/a Farmer's Market Kitchen
222 Arsenal Street
New Common Victualler Approved 3-0
5. Sergio L. Costa d/b/a Sergio Costa Limousine Service
20 Riverside Street #1-8
Livery/Limousine License Denied 3-0
6. Aleksandr Yeghiyan d/b/a Elite Transportation
67 Spring Street, #2
Livery/Limousine License Continued to February 19, 2015
7. Adilet Orozbaev d/b/a Taitoru
114 Belmont Street
Livery/Limousine License Approved 3-0
8. Harry W. Gamber d/b/a Bella's Coach Service
41 Piermont Street
Livery/Limousine License Approved 3-0
9. MJLK, Inc. d/b/a 21 Nickels
21 Nichols Ave.
a. Status Hearing Continued to January 15, 2015
10. Revise Regulation & Fees for Special One Day Liquor Licenses
and One Day Permits issued by the Licensing Board

11. Renewals: All Approved 3-0
- | | |
|----|---|
| 95 | Common Victualler* (4 not open) |
| 26 | All Alcohol Common Victualler* (2 not open) |
| 7 | All Alcohol Package Goods |
| 9 | All Alcohol Club |
| 7 | Wine & Malt Common Victualler* (1 not open) |
| 7 | Wine & Malt Package Goods |
| 3 | 24-Hour Opening |
| 3 | Sale of Food at Retail |
| 17 | Entertainment License 6 Day |
| 9 | Automatic Amusement Device* (1 not open) |
| 4 | Music Box |
| 7 | Class I Auto Dealer |
| 13 | Class II Auto Dealer |

*CV the following have renewed but are not open:

| | |
|---------------------------------|---------------------------|
| Silenus | Renewed 3-0 Conditionally |
| Ixtapa Mexican Grille & Cantina | Renewed 3-0 Conditionally |
| 21 Nickels | Renewed 3-0 Conditionally |
| Launch Trampoline Park | Renewed 3-0 Conditionally |

*ALCV the following have renewed but are not open:

| | |
|---------------------------------|---------------------------|
| Ixtapa Mexican Grille & Cantina | Renewed 3-0 Conditionally |
| 21 Nickels | Renewed 3-0 Conditionally |

*W&MCV the following have renewed but are not open:

| | |
|---------|---------------------------|
| Silenus | Renewed 3-0 Conditionally |
|---------|---------------------------|

*Automatic Amusement Devices

| | |
|------------------------|---------------------------|
| Launch Trampoline Park | Renewed 3-0 Conditionally |
|------------------------|---------------------------|

12. Comments by Board Clerk and Police Department

Donna B. Doucette, Chairman

Present: Donna B. Doucette, Robert J. Whitney, George B. Newman, Sandra Kasabian Hoffman

1. Minutes from the November 20, 2014 hearing were approved 3-0 by the Licensing Board.
2. Royal Restaurant, Inc.
d/b/a Royal Restaurant
c/o Rim Kourda, president
33 Parsons Street
West Newton, MA 02465

The Watertown Licensing Board, at the request of the applicant, has continued its hearing on the application of Royal Restaurant, Inc. d/b/a Royal for a common victualler license to be exercised at 45 Lexington Street. The application was originally scheduled for hearing on November 20, 2014, and continued to December 18, 2014 at the request of the applicant. On December 18, the Board voted to continue the hearing again. The continued hearing on this application will be held on January 15, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

3. Golden River Co.
d/b/a Little Thai Café
51 Main Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Golden River Co. d/b/a Little Thai for approval of Sunday service of alcohol at its premises at 51 Main Street licensed for all alcohol common victualler service.

Mr. David Wong, manager, appeared on behalf of the licensee. Mr. Wong presented a letter and report of a CPA regarding percentages sales for food and alcohol for the period of September, 2013 to August, 2014. According to the CPA report prepared, the alcohol sales accounted for 4% of total sales during that period. The current hours of operation are 11:00 a.m. to 1:00 a.m.

The Health Department reported that the applicant must contact the department to update its food service establishment application to include the Sunday hours of operation.

Sergeant Grady stated that the Police Department had no objection to the change of hours, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to approve Sunday service of alcohol, from 12:00 noon to 12:00 midnight, pursuant to Section IV.C.1.b of the Board's Rules and Regulations, subject to the following conditions:

1. The overall hours of operation shall not exceed 11:00 a.m. to 1:00 a.m. Monday through Saturday, and 11:00 a.m. to 12:00 midnight on Sunday.
2. No sale of alcoholic beverages shall be made on Sunday before 12:00 noon.
3. All other conditions of the license shall remain in place.

4. KCAN, LLC
d/b/a Farmer's Market Kitchen
222 Arsenal Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of KCAN, LLC d/b/a Farmer's Market Kitchen for a common victualler license to be exercised at 222 Arsenal Street.

Kathleen Cook, Cody DuBuc, and Adam Nazaaro, managers of the LLC, appeared in support of the application. Ms. Cook explained that the applicant is currently operating a take-out business at the Arsenal Street location and proposes to add seating for patrons. Service would be brunch on Saturday and dinner two to three nights per week, on a 'pop-up' style basis. With respect to the Building Department report that Health Department reviews must meet occupancy requirements, she noted that a restaurant previously located at the site had 23 seats, and the current proposal is for 21 seats.

The Health Department reported that the applicant must contact the department to update its food service establishment application to include location of seats.

Sergeant Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The hours of operation shall be 7:00 a.m. to 10:00 p.m. Monday through Sunday.
2. The total seating capacity shall not exceed 21, as shown on the floor plan sketch submitted, and received in the office of the Town Clerk on October 30, 2014.
3. There shall be no alcoholic beverages on the licensed premises.

5. Sergio L. Costa
d/b/a Sergio Costa Limousine Service
20 Riverside Street #1-8
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Sergio L. Costa d/b/a Sergio Costa Limousine Service for a livery/limousine license to be exercised from 20 Riverside Street. The application was originally scheduled for hearing on November 20, 2014, but no one appeared on behalf of the applicant. In addition, the applicant had not submitted evidence of the required notification to abutters. The hearing was continued to December 18, 2014. The notice of continuance stated that the required notices to abutters must specify the continued hearing date, place and time. On December 18, once again, no one appeared on behalf of the applicant.

Board clerk Donna Gill and Police Sgt. Grady reported that they had not had any communication from the applicant.

The Licensing Board voted unanimously to deny the application.

6. Aleksandr Yeghiyan
d/b/a Elite Transportation
67 Spring Street #2
Watertown, MA 02472

The Watertown Licensing Board, at the applicants request, has continued its hearing to February 19, 2015 on the application of Aleksandr Yeghiyan d/b/a Elite Transportation for a livery/limousine license to be exercised from 67 Spring Street, #2. The application was originally scheduled for hearing on December 18, 2014. The continued hearing on this application will be held on February 19, 2015 at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

7. Adilet Orozbaev
d/b/a Taitoru
114 Belmont Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Adilet Orozbaev d/b/a Taitoru for a livery/limousine license to be exercised from 114 Belmont Street.

Mr. Orozbaev appeared in support of the application. Mr. Orozbaev stated that he has been a resident at 114 Belmont Street since September, 2014. He referenced the letter from his landlord, Brian Hsu, submitted with his application and authorizing use of a parking space at the property for a livery car. One vehicle will be used for the license, a 2013 Toyota Camry. Mr. Orozbaev reported his prior experience as a driver for a limousine service in 2013.

A letter to the Board from District A Councilor Angeline Kounelis was read into the record. The letter noted that the proposed parking area abuts 53-55 Keenan Street; a driveway apron was installed in 2014 under a Watertown Department of Public Works plan. It also stated there has been a constant turnover of tenants/occupants at the subject property and vehicles are parked both on and off-street, and expressed concern that the neighborhood cannot accommodate more vehicles associated with the subject property.

Sgt. Grady stated he was not aware of any other Town department investigations regarding the property, and that he had made observations himself and did not notice any obvious parking issues. He noted that people will typically park on the street in the neighborhood and then take a bus for continued transportation. Mr. Orozbaev identified three vehicles that are currently using the site, including his.

Mr. Hsu stated that three vehicles can be parked at the site, and that the Zoning Officer had been at the property earlier in the day to conduct an inspection. He reported that three men live in the downstairs unit (#112 Belmont Street) – two are his relatives and one is a friend, while three people are under a lease for the upstairs unit (#114). The parking spaces are not assigned; two are for the upstairs unit and one is reserved for the downstairs unit. Mr. Orozbaev stated he is using the space for the downstairs unit to park the third car on site.

A neighbor to the subject property, residing at 108 Belmont Street, noted problems with cars parked on the street, especially when it snows. She reported she has called the Police Department on prior occasions but has been informed that the area in question is located in the Town of Belmont, while Keenan Street is in Watertown.

Sgt. Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Health Department, Building Department, and Fire Department had no comment.

The Zoning Officer reported that use of the subject property for “home office” purposes is permitted under the Zoning Ordinance, with one commercial vehicle under ¾ ton towing capacity.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The license shall be limited to pre-arranged transportation of persons rather than on-the-street pick up of persons.
2. The licensee shall maintain a current motor vehicle driving record of all employees hired as a driver of any motor vehicle to be used in connection with the license.
3. If any driver for the licensee is cited for more than three moving violations or is involved in more than one surchargeable accident in a 12-month period, he/she shall be required, within 90 days of exceeding those limits, to attend a defensive driving training course.
4. The licensee shall keep all records on file and they shall be made available for review by any agent of the Licensing Board.
5. The license is for one vehicle, to be parked at 114 Belmont Street, in parking space #1 as shown on the drawing submitted and received in the office of the Town Clerk on November 3, 2014.
8. Harry W. Gamber
d/b/a Bella’s Coach Service
41 Piermont Street
Watertown, MA 02472

The Watertown Licensing Board met to consider the application of Harry W. Gamber d/b/a Bella’s Coach Service for a livery/limousine license to be exercised from 41 Piermont Street.

Mr. Gamber appeared in support of the application. Mr. Gamber stated that he has plans to operate as part of a shared ride program and to then establish his own business; he will be working for the Uber ride share system when not operating on his own as a livery service. He will be driving a 2010 KIA Fuente for the livery business.

Sgt. Grady stated that the Police Department had no objection to the granting of the requested license, provided that the conditions stated below were imposed.

The Health Department, Building Department, and Fire Department had no comment.

The Zoning Officer reported that use of the subject property for “home office” purposes is permitted under the Zoning Ordinance, with one commercial vehicle under ¾ ton towing capacity.

The Licensing Board voted unanimously to grant the requested license, subject to the following conditions:

1. The license shall be limited to pre-arranged transportation of persons rather than on-the-street pick up of persons.
 2. The licensee shall maintain a current motor vehicle driving record of all employees hired as a driver of any motor vehicle to be used in connection with the license.
 3. If any driver for the licensee is cited for more than three moving violations or is involved in more than one surchargeable accident in a 12-month period, he/she shall be required, within 90 days of exceeding those limits, to attend a defensive driving training course.
 4. The licensee shall keep all records on file and they shall be made available for review by any agent of the Licensing Board.
 5. The license is for one vehicle, to be parked at 41 Piermont Street, as shown on the drawing submitted and received in the office of the Town Clerk on November 5, 2014 (plan of subject property with zoning compliance stamp).
9. MJLK, Inc.
d/b/a 21 Nickels
c/o Michael J. Moran
67 Burton Street
Brighton, MA 02135

The Watertown Licensing Board held a continued session of a show cause hearing on the matter of the closure of your premises at 21 Nichols Avenue licensed for all alcohol common victualler service and your failure to comply with the conditions of the Board's approval of that closure. The matter had been continued from June 20, July 18, August 15, September 19, October 17, November 21, December 19, 2013, and January 16, February 20, March 20, April 17, May 15, June 19, July 17, September 18, October 16, 2014, and November 20 and the proceedings from the sessions held on those dates are described in the Board's Notices of Action and Continuance dated July 10, August 7, August 23, October 4, November 1, December 2, 2013, January 7, January 31, March 10, April 9, May 7, May 27, July 2, August 5, October 6, November 4, and December 4, 2014.

Attorney Paul Rufo appeared on behalf of the licensee, together with Michael Moran, president and manager, and presented a letter to the Board dated December 18, 2014. The letter reported that the licensee had completed all work necessary for the re-opening of the premises for business, with the exception of so-called punch list items. A pre-operational inspection by the Health Department had revealed some code violations, but the licensee will correct those so as to qualify for a retail food service permit. There are still items to be addressed for the Building Department and the Fire Department must also do an inspection. The Building Inspector has indicated that he and the Fire Chief are not available until December 22. When inspections are successfully completed and a certificate of occupancy is issued the premises will be opened for business.

Mr. Moran explained that the work required to comply with fire code provisions was substantial, and required the services of four vendors and many inspections. He stated that the vendors performing the work have experience in Watertown and so he does not anticipate any problems with the final inspections. Mr. Moran added that all insurance premiums have been paid, that the draught beer set-up has been done by the distributor, and that Comcast communications arrangements have been made.

Board chairman Doucette asked if the premises were inspected next week when could the business be re-opened, and Mr. Moran answered, the following week. The proposed hours are 4:00 p.m. to 12:30 a.m. Wednesday through Saturday. The restaurant will not be open on Sunday.

The Licensing Board voted to conditionally renew the license for 2015, subject to the condition that by January 15, 2015 the premises be in operation as represented by the licensee, i.e., Wednesday through Saturday during the hours of 4:00 p.m. to 12:30 a.m.; and if the condition is not met the renewal shall not be effective and the license will be cancelled.

The Licensing Board also voted to continue the show cause matter to January 15, 2015. The continued hearing will be held at 7:15 p.m. in the Philip Pane Hearing Room, Administration Building, 149 Main Street, Watertown, MA.

The Licensing Board voted to conditionally renew MJLK, Inc. d/b/a 21 Nickels subject to the condition that the premises be in operation from Wednesday through Saturday 4:00 to 12:30 no later than January 15, 2015. If the premises are not in operation the license renewal will be cancelled.

Attorney Rufo indicated that a letter will be sent to notify the board that the premise is opened.

10. The Licensing Board voted unanimously to approve the following renewals 2015

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| Renewals: | 95 | Common Victualler* |
| | 26 | All Alcohol Common Victualler* |
| | 7 | All Alcohol Package Goods |
| | 9 | All Alcohol Club |
| | 7 | Wine & Malt Common Victualler* |
| | 7 | Wine & Malt Package Goods |
| | 3 | 24-Hour Opening |
| | 3 | Sale of Food at Retail |
| | 17 | Entertainment License 6 Day |
| | 9 | Automatic Amusement Device |
| | 4 | Music Box |
| | 7 | Class I Auto Dealer |
| | 13 | Class II Auto Dealer |

*The Licensing Board voted unanimously to approve the renewal for Silenus and Ixtapa Mexican Grille & Cantina with the condition that they be in operation by March 19, 2015 or a status Hearing will be scheduled for April 16, 2015 by Licensing Board.

11. Revise Regulation & Fees for Special One Day Liquor Licenses
and One Day Permits issued by the Licensing Board

As a result of changes in ABCC guidelines, Commonwealth regulations, and the number and size of various one-day licensed events, the Board reviewed proposed changes in procedures for processing the one-day permits it authorizes. Additional discussion on the new procedures will continue in January, with a possible vote on adopting changes.